

TENTATIVE RULINGS for CIVIL LAW and MOTION

June 22, 2009

Pursuant to Yolo County Local Rules, the following tentative rulings will become the order of the court unless, by 4:00 p.m. on the court day before the hearing, a party requests a hearing and notifies other counsel of the hearing. To request a hearing, you must contact the clerk of the department where the hearing is to be held. Copies of the tentative rulings will be posted at the entrance to the courtroom and on the Yolo Courts Website, at www.yolo.courts.ca.gov. If you are scheduled to appear and there is no tentative ruling in your case, you should appear as scheduled.

Telephone number for the clerk in Department Fifteen: (530) 406-6942

TENTATIVE RULING

Case: **Capital One Bank v. Baldani**
Case No. CV G 09-334

Hearing Date: **June 22, 2009** **Department Fifteen** **9:00 a.m.**

Capital One Bank's unopposed motion for leave to file the first amended complaint submitted with its moving papers is **GRANTED**. (Code Civ. Proc., § 473, subd. (a).) The Clerk shall file the first amended complaint as of June 22, 2009. Capital One Bank must comply with service requirements. (Code Civ. Proc., § 471.5.)

Capital One Bank shall serve a copy of this order on the defendant by no later than June 25, 2009.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice, except as provided herein, is required.

TENTATIVE RULING

Case: **In re Cinthia Reyes**
Case No. CV P2 09-93

Hearing Date: **June 22, 2009** **Department Fifteen** **9:00 a.m.**

The information contained in Items 12 and 19.a. of the petition concerning the amount of the settlement and Items 14 and 19 of the petition concerning the amount of attorney's fees and expenses to be deducted from the settlement proceeds is contradictory. The petitioner should ensure that the proposed order contains the correct amounts for the gross and net settlement, attorney's fees, and expenses.

The petitioner and the minor are directed to appear or to show good cause why the petitioner and the minor should not be required to appear. (Cal. Rules of Court, rule 7.952.) If the petitioner and the minor choose to show good cause, they should do so by filing a declaration before the hearing setting forth the facts supporting good cause. If the

parties fail to appear at the hearing and the court has not excused their personal appearance, the petition will be denied without prejudice. No request for a hearing is required.

TENTATIVE RULING

CASE: **Praetorian Insurance Co. v. Hanoum**
Case No. CV CV 08-1365

Hearing Date: **June 22, 2009** **Department Fifteen** **9:00 a.m.**

The unopposed motion to have the truth of the matters and the genuineness of a document specified in Request for Admissions, Set No. One from Praetorian Insurance Company to Vanessa Hanoum deemed admitted is **GRANTED**. (Code Civ. Proc., § 2033.280, subds. (b) and (c).) The request for monetary sanctions is **GRANTED**. (Code Civ. Proc., § 2033.280, subd. (c).) Vanessa Hanoum shall pay Praetorian Insurance Company monetary sanctions in the sum of \$340.00.

Praetorian Insurance Company shall serve a copy of this order on Vanessa Hanoum by no later than June 25, 2009.

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice, except as provided herein, is required.

TENTATIVE RULING

Case: **River City Petroleum, Inc. v. Star One Fuel Station, et al.**
Case No. CV CV 08-2537

Hearing Date: **June 22, 2009** **Department Fifteen** **9:00 a.m.**

Cross-Defendants Alaeddin Hakam's and Rockridge Fuel Center's demurrer to the cross-complaint is **OVERRULED**. (Code Civ. Proc., § 430.10, subd. (c); *California Union Ins. Co. v. Trinity River Land Co.* (1980) 105 Cal.App.3d 104.)

Cross-Defendants' request for judicial notice is **GRANTED**. (Evid. Code, § 452, subd. (d).)

If no hearing is requested, this tentative ruling is effective immediately. No formal order pursuant to California Rules of Court, rule 3.1312 or further notice is required.

TENTATIVE RULING

Case: **Sierra Central Credit Union v. Hernandez**
Case No. CV G 09-1043

Hearing Date: **June 22, 2009** **Department Fifteen** **9:00 a.m.**

This matter is continued on the Court's own motion to Wednesday, June 24, 2009, at 9:00 a.m. in Department Fifteen.

TENTATIVE RULING

Case: **State of California v. Hamblet**
 Case No. CV PT 09-1310

Hearing Date: **June 22, 2009** **Department Fifteen** **9:00 a.m.**

This matter is continued on the Court's own motion to Wednesday, June 24, 2009, at 9:00 a.m. in Department Fifteen.